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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/879,208

Filing Date: June 13, 2001

First Named Inventor: Yukihiro OOWAKI et al.

Group Art Unit: 2823

Examiner: Rao, Shrinivas H.

Attorney Docket Number: 02887.0141-01

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114:

### a. ☐ Previously submitted

- i. ☐ Consider the Amendment After Final under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.
- ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed:

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

### a. ☒ The filing fee is calculated as follows:

- i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Petition for extension of time for ( 2 Months ) \$ 420.00
- iii. ☐ Other \_\_\_\_\_

### b. ☒ Check in the amount of \$1190 enclosed.

### c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

## Signature of Applicant, Attorney, or Agent Required

Name: Richard V. Burgujian

Reg. No.: 31,744

Signature: *Richard V. Burgujian*

Date: April 19, 2004

## Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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PATENT  
Customer No. 22,852  
Attorney Docket No. 02887.0141-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                |   |                             |
|--------------------------------|---|-----------------------------|
| In re Application of:          | ) |                             |
|                                | ) |                             |
| Yukihito OOWAKI et al.         | ) | Group Art Unit: 2814        |
|                                | ) |                             |
| Application No.: 09/879,208    | ) | Examiner: Rao, Shrinivas H. |
|                                | ) |                             |
| Filed: June 13, 2001           | ) |                             |
|                                | ) |                             |
| For: MIS TRANSISTOR AND METHOD | ) |                             |
| FOR PRODUCING THE SAME         | ) |                             |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

This Amendment is being filed along with a Request for Continued Examination (RCE) and fulfills the requirement for a submission under 37 C.F.R. 1.114. In reply to the Final Office Action dated June 20, 2003, the period for reply extending to April 19, 2004 with a Notice of Appeal filed on December 19, 2003 and a Petition for Extension of Time for two (2) months and fee payment filed concurrently herewith, please amend the application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.